

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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GLIDEDOWAN, LLC D/B/A ALL-AMERICAN  
HOMECARE AGENCY, INC.,

Plaintiff,

-against-

NEW YORK STATE DEPARTMENT OF HEALTH and  
JAMES V. MCDONALD, IN HIS OFFICIAL CAPACITY AS  
COMMISSIONER OF THE NEW YORK STATE  
DEPARTMENT OF HEALTH,

Defendants.

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**DECLARATION OF  
EDWARD P. HOURIHAN  
IN SUPPORT OF MOTION  
FOR EXPEDITED  
HEARING**

Case No. 24-6731

Edward P. Hourihan, Jr. declares pursuant to 28 U.S.C. § 1746 that the following is true and correct:


1. I am counsel for Plaintiff Glidedowan, LLC d/b/a All-American Homecare Agency, Inc. I am a member of the law firm of Bond, Schoeneck & King, PLLC. I make this Declaration in support of Plaintiff's motion for an expedited hearing on its motion for preliminary injunction against Defendants New York State Department of Health and James V. McDonald, in his official capacity as Commissioner of the New York State Department of Health. I am fully familiar with the matters set forth herein.

2. Plaintiff seeks to enjoin Defendants from nullifying, terminating, modifying, or interfering with Plaintiff's contracts to provide fiscal intermediary services in New York State or Plaintiff's relationships with recipients of services under the New York State Consumer Directed Personal Assistance Program.

3. As set forth in the Declaration of Plaintiff's Chief Executive Officer, Marco C. Altieri, submitted in support of Plaintiff's Motion for Preliminary Injunction, an expedited hearing is necessary because if not enjoined, Defendants' April 1, 2025 implementation of

amendments to New York Social Services Law § 365-f—which will nullify all of Plaintiff’s income-generating contracts and grant a monopoly on the services Plaintiff provides to an out-of-state entity—will force Plaintiff out of business.

Dated: December 17, 2024

  
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Edward P. Hourihan, Jr.